

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JERILYN A. LUCAS,**

**Plaintiff,**

**v.**

**Case No. 05-C-888**

**PYRAMAX BANK, FSB,**

**Defendant.**

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**DECISION AND ORDER**

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The Plaintiff, Jerilyn Lucas (“Lucas”), filed a Rule 7.4 Expedited Motion to compel production of certain documents. Lucas also moved that the Scheduling Order be amended to permit Lucas to designate an expert witness within 30 days after the documents are produced.

Civil Local Rule 37.1 requires that a motion to compel discovery must be “accompanied by a written statement by the movant that, after personal consultation with the party adverse to the motion and after sincere attempts to resolve their differences, the parties are unable reach an accord.” Lucas failed to provide such a written statement. Lucas never stated that the parties are unable to reach an accord, nor does he provide the requisite “date

and time of [the meet and confer] conference and the names of all the parties participating in it."

Because Lucas did not provide the written statement contemplated by Civil Local Rule 37.1, court action at this time would be premature. Accordingly, the Court denies Lucas's 7.4 Expedited Motion to compel discovery and amend the Scheduling Order.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY  
ORDERED THAT:**

Lucas's 7.4 Expedited Motion to Compel Production of Documents and to Amend the Scheduling Order (Docket No. 21) is **DENIED**.

Dated at Milwaukee, Wisconsin this 6th day of April, 2006.

**BY THE COURT**

s/ Rudolph T. Randa  
**Hon. Rudolph T. Randa**  
**Chief Judge**